

## REMARKS

By the foregoing Amendment, the Related Applications section of the specification has been amended, Claims 148-153 have been amended, new Claim 178 has been added, and Claims 154-164 have been cancelled. Favorable reconsideration of the application is respectfully requested.

The Examiner objected to the disclosure in the specification as not mentioning that Application No. 09/762 is now U.S. Patent No. 6,616,617. By the foregoing amendment, the Related Applications section has been updated, as required by the Examiner.

Claims 165-173 and 174-177 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-9 and 11-14 of U.S. Patent No. 6,616,617. It is believed with the enclosed Terminal Disclaimer, the rejection of Claims 165-177 on the grounds of obviousness-type double patenting can be withdrawn. A check covering the fee for the filing of the Terminal Disclaimer is enclosed.

Claims 154, 155 and 161 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 13 and 19 of U.S. Patent No. 6,159,165; Claims 156 and 157 were rejected under the judicially created doctrine of obviousness-type double patenting over claim 13 of U.S. Patent No. 6,159,165 in view of Mirigian et al.; and Claims 154-157 were rejected under the judicially created doctrine of obviousness-type double patenting over claim 5 of U.S. Patent No. 6,171,326 in view of Mirigian et al. Claims 154-157 and 161 have been cancelled.

The Examiner objected to Claim 164 as to a typographical error; Claim 164 has been cancelled.

Claims 150, 153, 158 and 159 were rejected under 35 U.S.C. 112, second paragraph, on the grounds of indefiniteness. Claims 150 and 153 have been amended to provide antecedent basis for the limitation of the central three dimensional coil, and Claims 158 and 159 have been cancelled, so that it is believed that the rejection of Claims 150, 153, 158 and 159 on the grounds of indefiniteness can be withdrawn.

Claims 148-150 and 152-153 were rejected under 35 U.S.C. §102(b) on the grounds of anticipation by Phelps et al. Claim 148 has been amended to recite "at least four coil arms formed of shape memory material having a collapsed primary coil configuration and a three dimensional, polyhedral expanded secondary configuration." New Claim 178 has also been added, reciting "six coil arms, and said polyhedral expanded secondary configuration is a hexahedral configuration." Support for the amendment can be found in the specification at page 24, line 11, to page 26, line 26, and Figs. 21-24. It is respectfully submitted that Phelps et al. does not teach, disclose or suggest an occlusive device including at least four coil arms formed of shape memory material having a collapsed primary coil configuration and a three dimensional, polyhedral expanded secondary configuration, with the inner ends of the coil arms connected together, and a central coil body connected to the inner ends of the coil arms, as is claimed. With regard to Claim 178, it is respectfully submitted that Phelps et al. does not teach, disclose or suggest an occlusive device including six coil arms formed of shape memory material having a collapsed primary coil configuration and a three

dimensional, hexahedral expanded secondary configuration, with the inner ends of the coil arms connected together, and a central coil body connected to the inner ends of the coil arms, as is claimed, so that new Claim 178 is believed to be novel and inventive over Phelps et al. It is respectfully submitted that Claims 148-150 and 152-153 are novel and inventive over Phelps et al., and that the rejection of Claims 148-150 and 152-153 on the grounds of anticipation by Phelps et al. should be withdrawn.

Claims 154 and 156-157 were rejected under 35 U.S.C. §102(b) on the grounds of anticipation by Mirigian et al. Claims 154, 156-157 and 163 were rejected under 35 U.S.C. §102(e) on the grounds of anticipation by Mirigian et al. Claims 154, 156-157 and 163 have been cancelled.

Claim 151 was rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Phelps et al. in view of Engelson et al., which was cited as disclosing radiopaque fibers in braided cables. Claim 151 depends from Claim 148, which was amended as discussed above, and it is respectfully submitted that Phelps et al. and Engelson et al. do not teach, disclose or suggest an occlusive device including at least four coil arms formed of shape memory material having a collapsed primary coil configuration and a three dimensional, polyhedral expanded secondary configuration, with the inner ends of the coil arms connected together, and a central coil body connected to the inner ends of the coil arms, as is claimed. It is therefore respectfully submitted that Claim 151 is novel and inventive over Phelps et al. and Engelson et al. taken individually or in combination, and that the rejection of Claim 151 on the grounds of obviousness from Phelps et al. in view of Engelson et al. should be withdrawn.

Claims 155, 159 and 164 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Mirigian et al. in view of Engelson et al. Claims 155, 159 and 164 have been cancelled.


Claims 160-162 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Mirigian et al. in view of Snyder and Lau et al. Claims 160-162 have been cancelled.

Applicant has reviewed the additional prior art made of record and not relied upon, and it is believed that the additional prior art made of record and not relied upon is no more pertinent than the references actually applied.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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